

ATT Thematic Statement  
UN First Committee  
2011

Mr. Chairman,

It gives me great pleasure to be able to comment today that for the United States the progress thus far in discussing the Arms Trade Treaty has been very constructive and has done considerable useful work in preparation for the Conference next summer to negotiate a legally-binding instrument. I would also be remiss if I failed to give proper credit to the sage leadership of Roberto Garcia-Moritan during those discussions. He has been instrumental in ensuring the discussions remain focused, has compiled on his own authority papers that reflect the full range of ideas put forward in the discussion – papers that can be very valuable in permitting the Conference next summer to make optimum use of its limited time, and has maintained the momentum and constructive atmosphere of the discussions. I sincerely hope we will be able to have his superb guidance and leadership through the Conference as we have through the Preparatory Committees.

Mr. Chairman and colleagues,

The discussions on the Arms Trade Treaty have covered a very wide range of issues and put forth myriad proposals for elements to include in a Treaty. These ideas are not all compatible, and certainly are not all universally agreed. However, I think the discussions have revealed an underlying agreement on the basic objectives of an Arms Trade Treaty, and that the United States joins in that fundamental agreement.

To reiterate what my government has said throughout these discussions, “The United States is prepared to work hard for a strong international standard...to ensure that all countries can be held to standards [in the international transfer of arms] that will actually improve the global situation.” We recognize that the core concerns of this situation cannot be legislated by any Treaty, but rather are a matter of national enforcement. That is why we believe the Treaty does not have the luxury of delving into “how” member states will enact and enforce the necessary mechanisms and criteria to make it more difficult for those who would abuse arms to obtain them, but rather to concentrate on “what” needs to be the effect of the national implementation that is the core of the negotiations.

The United States continues to remind all that we need to remember this is not an arms control or disarmament Treaty we are going to negotiate – it is a trade regulation treaty. The nationally considered and approved international transfer of arms is a legitimate activity, and this Treaty should not unduly hinder such legitimate transactions. The value we intend to add to the international system is the legal requirement for each member state to regulate such transactions on a national basis, carefully taking into consideration applicable agreed-upon standards.

When we arrive at the Conference next summer, then, we will have a rich broth of ideas to drink from. The pure practicality of the short time available, however, will limit the amount of agreement we can achieve, even if every state in the room is in fundamental accord on the principles we are trying to record. The United States therefore, pledges on its part to arrive at that Conference with a clear distinction in our minds between those measures that are essential to any Treaty and must therefore be enshrined in proper language, and those that might be useful to include in the best of all worlds, but are likely to overstress the process in reaching agreement. We strongly urge all other participants to approach the Conference in the same manner. This will be one of the times when the old adage that “the best is often the enemy of the good” will certainly apply, and will create situations we must take all necessary steps to avoid.

Fortunately, the nature of what we will be about lends itself to the kind of “bare-bones” approach that will be required to achieve success. As I implied earlier, it will not be necessary – or even desirable – for an ATT to spell out all the details of national implementation. That properly should be left to each state. What the ATT will need to specify is the unflinching requirement that each state take unto itself the obligation to ensure that international transfers are only made on the basis of national decisions, not on the basis of a quick under-the-counter profit by an individual merchant or broker. Each state will need to consider carefully the impact of a proposed transfer, as well as the likelihood that any transfer, once it leaves the originating state may be diverted to some other more nefarious purpose, and how to control or deny support for such diverting activity. The scope of required regulation should be clear, though its specifics can be left to national implementation. And the Conference must be unequivocal in making enforcement of the Treaty’s provisions a national, rather than international or multilateral, responsibility of each State Party. Each State Party will need to report to other State Parties on the actions that it is taking to implement the Treaty -- details on the

national control system that it has in place and on changes to that system as well as information on covered items transferred pursuant to the provisions of the treaty.

Mr. Chairman and colleagues,

The United States believes our efforts thus far in pursuit of an Arms Trade Treaty are an example of how the international community, in an open and transparent activity, can indeed make constructive progress toward a shared objective of reducing inhumane, destabilizing, and destructive activity on the international stage. We look forward to moving to the formal negotiating stage of this activity, and pledge our continuing support for Ambassador Moritan and the upcoming Conference to seek an effective, useful outcome.

Thank you, Mr. Chairman.